

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

Voxer, Inc. and Voxer IP LLC

Plaintiffs,

v.

Facebook, Inc. and Instagram LLC

Defendants.

Civil Action No. 1:20-cv-00655-ADA

Jury Trial Demanded

**JOINT MOTION TO AMEND AGREED SCHEDULING ORDER**

Plaintiffs Voxer, Inc. and Voxer IP LLC and Defendants Facebook, Inc. and Instagram LLC, by and through their undersigned counsel, hereby respectfully move to amend the Court's Scheduling Order [Dkt. 88] as proposed in the Third Amended Agreed Scheduling Order hereby submitted.

| Amended Deadline   | Deadline           | Item  |
|--------------------|--------------------|---|
| July 30, 2021      | July 22, 2021      | Close of Fact Discovery.  |
| August 17, 2021    | August 5, 2021     | Opening Expert Reports.   |
| September 16, 2021 | September 2, 2021  | Rebuttal Expert Reports.  |
| September 28, 2021 | September 23, 2021 | Close of Expert Discovery.  |
| October 12, 2021   | October 7, 2021    | Dispositive motion deadline and <i>Daubert</i> motion deadline.   |
|                    | October 21, 2021   | Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations). |
|                    | November 4, 2021   | Serve objections to pretrial disclosures/rebuttal disclosures.  |

| Amended Deadline | Deadline   | Item  |
|------------------|--|---|
|                  | November 11, 2021                                | Serve objections to rebuttal disclosures and file motions <i>in limine</i> .  |
|                  | November 18, 2021                                | File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .  |
|                  | November 30, 2021                                | File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a><br><br>Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> . |
|                  | December 9, 2021                                 | File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .   |
|                  | December 14, 2021, or at the Court's convenience | Final Pretrial Conference. The Court expects to set this date at the conclusion of the Markman Hearing.   |
|                  | January 18, 2022                                 | Jury Selection/Trial  |

Dated: July 21, 2021

Respectfully submitted,

By: /s/ J. Mark Mann

By: /s/ David Silbert

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 21st day of July 2021, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(b)(1). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first-class mail on this same date.

/s/ J. Mark Mann

**J. Mark Mann**